

Notice of Allowability

Application No.

10/083,490

Applicant(s)

SCHNEIDER ET AL.

Examiner

Art Unit

Nathan M. Nutter

1711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-35.
3. ☐ The drawings filed on ____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.
5. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. ____.
 - (b) ☐ including changes required by the proposed drawing correction filed ____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1 ☒ Notice of References Cited (PTO-892)
- 2 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3 ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. 1, 2
- 4 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

- 5 ☐ Notice of Informal Patent Application (PTO-152)
- 6 ☐ Interview Summary (PTO-413), Paper No. ____.
- 7 ☐ Examiner's Amendment/Comment
- 8 ☒ Examiner's Statement of Reasons for Allowance
- 9 ☐ Other

Nathan M. Nutter
Primary Examiner
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REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: No prior art has been found or presented that either teaches or fairly suggests the production and use of a two-part composition which may comprise (a) a reactive component comprising furfuryl alcohol monomer and a by-product obtained from a chemical pulping process; and (b) a catalyst component comprising zinc chloride, iron (III) chloride hexahydrate and maleic anhydride, as herein recited and claimed. The employment of such reactive composition in bonding wood or glass fibers is not shown or fairly suggested by any reference or combination thereof either found or presented. Since there are no outstanding issues with regard to the clarity or enablement of the claims, these claims are deemed to contain allowable subject matter.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The references to Hersh, Glycofrides and Bozer et al, all newly cited of interest, teach the manufacture of resins or resin compositions similar in scope to that claimed herein. Each reference teaches the manufacture of a furfuryl resin and the use thereof as an adhesive. Neither reference teaches the use as a two-part composition, as claimed, nor are all parameters included, otherwise, in any one document or a proper combination thereof. Hersh only refers to "strong acidic solutions in water, such as ferric

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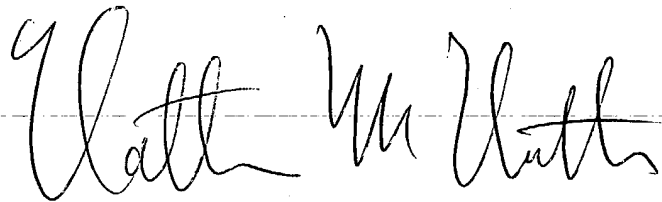
chloride" with maleic anhydride as a suitable catalyst but fails to teach or suggest the inclusion of zinc chloride as required by the instant claims. further, note column 1 (line 38) to column 2 (line 18) of the patent. The reference to Glycofrides, also, teaches the use of ferric chloride, as well as metallic halides for the catalyst at column 1 (lines 11-15) and column 1 (line 32) to column 2 (line 17). No combination of acids is taught or suggested. The reference fails to teach the inclusion of maleic anhydride although maleic acid is taught at column 1 (lines 16-31). The reference to Bozer et al teaches the inclusion of an acid catalyst that may include ferric chloride, zinc chloride or maleic anhydride at column 8 (lines 5-43). The reference fails to teach or suggest the inclusion of all three. The resin system, also, differs in that a pulping process by-product is not included in the resin composition. Neither reference is deemed to negate the patentability of the instant claims. Copies of these references will NOT be furnished with this Office Action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan M. Nutter whose telephone number is 571-272-1076. The examiner can normally be reached on Monday-Friday 9:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James J. Seidleck can be reached on 571-272-1078. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

A handwritten signature in black ink, appearing to read "Nathan M. Nutter", written in a cursive style.

Nathan M. Nutter
Primary Examiner
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21 January 2004